

REMARKS/ARGUMENTS

Claims 1-11, 14, and 17-21 were pending and were examined. Reconsideration of the claims is respectfully requested.

Independent claim 1 was rejected under 35 U.S.C. §112, second paragraph, as lacking sufficient antecedent basis for "the expansile member on the compression member" in lines 19-20. As suggested by the Examiner, claim 1 has been amended to recite "the expansile element on the compression member" in the equivalent lines.

Independent claims 1 and claims 2, 5-6, 8, 10-11, and 17, which depend therefrom, were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Publication No. 2003/0055454 to Zucker ("Zucker"). The rejections are traversed as follows.

Zucker fails to disclose each and every element of claim 1. In particular, the step of "*advancing the compression member over the locating member*" is not disclosed. The device disclosed by Zucker is incapable of performing such a step.

The Examiner regards handle portion 128 as the provided locating member and main shaft 102 as the provided compression member. However, as seen in Fig. 2B, 3B, and 3C, handle portion 128 and main shaft 102 share the same longitudinal axis and are permanently separated from each other by head element 140. The circumference of main shaft 102 is also less than that of handle portion 128. Main shaft 102 cannot be advanced over handle portion 128.

Moreover, Applicants note that the Examiner has regarded anchor balloon 124 as the expansile member (of the provided locating member) and peripheral balloon 150 as the expansile element (of the provided compression member), respectively. As claimed herein, the compression member, which includes the expansile member, is advanced over the locating member, which includes the expansile element. When the compression member is advanced over the locating member, the expansile member is also advanced over the locating member and expansile element. In Zucker, however, peripheral balloon 150 cannot be advanced over anchor balloon 124. Anchor balloon 124 is disposed at the end of main shaft 102 while peripheral balloon 150 is disposed adjacent to the same end of main shaft 102 ([0037], [0039]; Figs. 1, 2A, 2B, 3B-D). The distal end of shaft 102, along with balloons 124 and 150, can only

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be advanced as a single unit. Thus, even in this interpretation, Zucker does not disclose a compression member which can be advanced over a locator member.

For at least the above reasons, claim 1 is allowable over Zucker. The remainder of the rejected claims under 35 U.S.C. §102(b) depend from claim 1. Applicants respectfully request withdrawal of all the anticipation rejections.

Claims 3-4, 7, 9, 14, and 18-21 were rejected under 35 U.S.C. §103(a) as allegedly being obvious under Zucker. The Examiner's position is that the subject matter of the rejected claims was either well known in the art or an obvious design choice. The rejected claims all depend on independent claim 1 which has been distinguished from Zucker above. Applicants respectfully request withdrawal of all the obviousness rejections.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

James M. Heslin
Reg. No. 29,541

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
Attachments
JMH:jke
61364313 v1